

WALSALL METROPOLITAN BOROUGH COUNCIL

NOTES OF GUIDANCE FOR STREET COLLECTION APPLICANTS

1. Permits for street collections are granted by the Local Authority under the provisions of the Police, Factories etc (Miscellaneous Provisions) Act, 1916 and governed by the Home Office Model Street Collection Regulations as adopted by Walsall Metropolitan Borough Council. A copy of the Regulations is attached for your information.
2. Any collection to be undertaken in a street or public place requires a street collection permit. Definitions of a “street” and “public place” as provided by the Charity Commission are reproduced below:-

Interpretation of “Street”

The Police, Factories etc (Miscellaneous Provisions) Act, 1916 defines Street as “any highway and any public bridge, road, lane footway, square, court, alley or passage, whether a thoroughfare or not.”

Some collectors attempt to bypass the street collections Regulations by claiming that their collectors are on “private property” and, therefore, do not need a license. The arguments usually put forward are:

The area between a pavement and a shop door is neither a street or a public place, and so a collector standing needs only the permission of the shop’s management.

A collector who stands in the walkways of a privately owned shopping precinct is not standing in a street or a public place.

Neither argument is correct, as both areas are public places, and our advice should be that a street collections licence is required from the Licensing Authority.

and:-

“Similarly, collections are sometimes conducted in shop doorways and shopping precincts without the necessary licence under the statutory provisions relating to street collections – again on the argument that these areas are private property and not subject to control. Both areas would, however, normally be deemed “public places” and we advise charities concerned that a licence should be obtained in all instances.”

3. It is an offence to conduct a street collection in any street or public place in the Walsall Borough without the benefit of a permit.
4. Application forms are available from The Licensing Unit, Civic Centre, Darwall Street, Walsall, WS1 1TP and applicants are reminded to submit relevant literature, accounts, wherever possible.
5. It is not the policy of this Council to permit more than one organisation to collect in the same area on the same date although every endeavour will be made to meet the requirements of individual organisation. It would be appreciated if applicants could specify in which areas of the Borough they wish to collect if they are not proposing to collect throughout the whole Borough, so that the remaining areas are available for allocation to other organisations if required.
6. In order to allow as many organisations as possible an opportunity of collecting, no individual organisation will be granted more than two collections per calendar year.
7. Collections on Saturdays are particularly popular. Organisations are, therefore, asked to identify alternative days for collection in the event that the stipulated days are not available.
8. Applicants for collections to be held in conjunction with carnival processions, bed pushes, standing displays, vehicles etc, are reminded that it does not suffice to obtain a street collection permit only. The co-operation of West Midlands Police and the Council's Traffic Management Section should also be sought for events of this nature. The telephone number to contact the Traffic Management Section is 01922 654645.
9. The use of animals in conjunction with street collections is discouraged. However, consideration will be given to the use of guide dogs on request.
10. The issue of a street collection permit does not entitle the holder to collect in private or business premises without the consent of the management. In this connection, applicants are reminded that most major shopping precincts in the Borough are privately owned, e.g. The Quasar Centre, Saddlers Centre, Old Square Centre, Walsall, the Ravenscourt Precinct, Brownhills and the Aldridge Centre.
11. The sale of articles, magazines etc in a public place for charitable purposes constitutes a street collection for which a permit would be required.
12. Please note that deductions for travel expenses to and from the place of collection are not normally allowed.

13. In accordance with the Regulations, it is necessary for a Form of Statement (certified by an accountant), list of collectors to be submitted by the Licensing Authority **within one month of the date of the collection**.
14. Permit holders are reminded that they are required to publish, **at their own expense**, an account of the of the collection proceeds in a newspaper which circulates within the Walsall area and includes the locality of the collection. A copy of the advertisement should then be forwarded to this office with the form of statement. Please note that newspapers may not charge for a letter to the Editor to be published, contact the Editor of the newspaper chosen, for details. A copy of this published letter is still required by this office.
15. If you are not a member of the organisation for which you are proposing to collect, you must first obtain from them, approval to you holding a collection on their behalf. Written confirmation from the organisation to this effect must accompany the completed application form.

Issued by: Licensing Unit
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